S.B.CIVIL WRIT PETITION NO.3344/2006
Madan Kanwar Vs. State of Rajasthan & Ors.

DATE OF ORDER :: 27.09.2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Mahaveer Bishnoi, for the petitioner/s.
Mr. B.L. Tiwari, Dy. Govt. Advocate.

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It is stated by learned counsel for the petitioner that a petition of similar nature has already been accepted by setting aside the impugned order with a direction to the respondents to allow the petitioner to pursue BSTC Course to which admission was given to the petitioner. A photostat copy of the judgment passed by this Court which is said to be passed in a case similar to the present one i.e. SBCW No.3318/2006 decided on 25.4.2007 is shown to the Court. Though in the order dated 25.4.2007 it is specifically stated that the writ petition was accepted in peculiar facts and circumstances of the case and that will not create any precedent but from reading of the facts referred in the judgment I find that the present case is having exactly similar facts, therefore, it also deserves to be dealt with in the terms of the judgment dated 25.4.2007.

Accordingly, this petition for writ is allowed in the terms of the

judgment referred above. The order impugned dated 31.5.2006 is quashed and the respondents are directed to allow the petitioner to pursue the BSTC Course to which she was admitted. It is further directed that the result of the petitioner for first year BSTC Examination be declared and if she passes the same she be allowed to appear in Second Year BSTC Examination. No order as to cost.

(GOVIND MATHUR),J.

jgoyal